

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

United States of America,

Plaintiff,

v.

Samuel Hogsett,

Defendant.

No. 05-CR-30196-SMY

**Memo in Support of Unopposed Motion  
for Leave to File a Supplement**

On April 30, 2024, Mr. Hogsett filed a Motion for a Reduction in Sentence under 18 U.S.C. § 3582(c)(1)(A). *See* ECF No. 261. He articulated two independent “extraordinary and compelling reasons” for a reduction to “time served”: subsections (b)(6) and (b)(5) of U.S.S.G. § 1B1.13. *See* ECF No. 261. On June 25, 2024, the Government filed its Response, wherein it argued that (b)(6) was invalid, *see* ECF No. 271 at 15–40, and that Mr. Hogsett could not meet (b)(5), *id.* at 47. Mr. Hogsett filed a Reply brief on July 8, 2024, *see* ECF No. 274.

Since the conclusion of the briefing, Mr. Hogsett was diagnosed with advanced-stage chronic lymphocytic leukemia and small lymphocytic lymphoma (CLL/SLL). Undersigned counsel received medical records from the Bureau of Prisons oncologist on April 25, 2025, and since that time has been working with a medical expert, Dr. James J. Stark, to evaluate whether Mr. Hogsett meets the definition of “extraordinary and compelling” on the basis of his cancer diagnosis and the BOP’s refusal to provide cancer treatment. *See generally* U.S.S.G. § 1B1.13(b)(1)(C), (b)(1)(A) (“Medical Circumstances of the Defendant”). Dr. Stark concluded that, without treatment, Mr. Hogsett is “terminal” and has less than a year to live.

Given this unexpected development, Mr. Hogsett respectfully requests permission to file a supplemental raising his claims based on his medical condition. As required by the Local Rules, the proposed supplement has been attached to this Motion. *See* SDIL-LR 15.1(a)(1) (“Any document

that requires leave of the Court for filing must be filed on the docket as an exhibit to the motion requesting leave.”); *see also id.* 1.1 (applying the rules in “all civil and criminal proceedings”).

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Dated: May 18, 2025

/s/ Alison K. Guernsey

Alison K. Guernsey

Attorney for Samuel Hogsett

Clinical Professor

*Pro Hac Vice Admission*

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### **Certificate of Service**

I certify that on May 18, 2025, I filed the foregoing using the CM/ECF System, thereby sending notification to: Angela Scott, U.S. Attorney’s Office.

/s/ Alison K. Guernsey

Alison K. Guernsey